## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE AT NASHVILLE

)
) ) NO. 3:05-0377
) JUDGE CAMPBELL
,

Pending before the Court are Report and Recommendation of the Magistrate Judge (Docket No. 323) and Defendant UMG Recordings, Inc.'s Objections thereto (Docket No. 324).

ORDER

For the reasons stated in the accompanying Memorandum, the Objections of the Defendant are overruled and the Report and Recommendation of the Magistrate Judge is adopted and approved, but for additional reasons.

Accordingly, Plaintiff's Motion for Summary Judgment (Docket No. 260) is GRANTED, and Defendant UMG's Counterclaim (Docket No. 204) is DISMISSED.

Having dismissed Defendants' Counterclaim, the Motion for Severance and Consolidation filed by Defendant UMG Recordings, Inc. (Docket No. 258) is DENIED.

IT IS SO ORDERED.

TODD J. CAMPBELL UNITED STATES DISTRICT JUDGE